

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

DR. AMY R. WOODS PLAINTIFF

VS CIVIL ACTION NO. 3:19-CV-00234-NBB-RP

MHM HEALTH PROFESSIONALS, LLC, D/B/A
CENTURION PROFESSIONALS;
MANAGEMENT & TRAINING CORPORATION
JESSE WILLIAMS, INDIVIDUALLY;
AND JOHN DOES 1-9 DEFENDANTS

ZOOM DEPOSITION OF JESSE WILLIAMS

Taken at the Instance of the Plaintiff
with All Parties Appearing by Zoom Videoconferencing

On August 3, 2020

At 12:31 p.m.

REPORTED BY: SHARRON F. ALLEN, CSR, RPR
CSR NO. 1144

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CENTURION PROFESSIONALS

ALSO PRESENT: DR. AMY WOODS

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1 JESSE WILLIAMS,
2 having first been duly sworn, was examined and
3 testified as follows:
4 EXAMINATION
5 BY MR. WAIDE:
6 Q. Sir, would you state your name, please.
7 A. Jesse Williams.
8 Q. What city do you live in, Mr. Williams?
9 A. Memphis, Tennessee.
10 Q. Have you ever lived in Mississippi?
11 A. No, sir.
12 Q. Where do you consider your home to be?
13 A. Florida.
14 Q. Is that where you were born?
15 A. No, sir.
16 Q. What state were you born in?
17 A. Ohio.
18 Q. Where are you employed?
19 A. MTC.
20 Q. When did you start doing corrections
21 work? What year?
22 A. Let's see. 1989.
23 Q. Other than corrections work, have you
24 ever had any law enforcement experience?
25 A. Just corrections.

7

1 A. No, sir.
2 Q. What is that?
3 A. It's a company that deals with overseas
4 deployments.
5 Q. How long did you work for that company?
6 A. About four years.
7 Q. Why did you leave?
8 A. To come back to the states.
9 Q. What nation were you working in?
10 A. Afghanistan.
11 Q. Have you ever been in the military?
12 A. No, sir.
13 Q. Have you ever been discharged from any
14 job?
15 A. No, sir.
16 Q. Other than Dr. Amy Woods, have you ever
17 revoked a security clearance of any employee at
18 a correctional institution?
19 A. Yes, sir.
20 Q. Can you tell me who and for what
21 reasons?
22 A. Various individuals for various
23 reasons.
24 Q. All right. I understand possession of
25 contraband would be one, for example. Let's

6

1 Q. Sir?
2 A. Corrections only.
3 Q. What is your educational level?
4 A. B.A.
5 Q. From where?
6 A. Bluffton University.
7 COURT REPORTER: What university?
8 THE WITNESS: Bluffton University.
9 BY MR. WAIDE:
10 Q. I'm sorry, I didn't understand you.
11 I'm hard of hearing, though. Can you say that
12 one more time.
13 A. Bluffton University.
14 Q. Can you spell that for me?
15 A. B-L-U-F-F-T-O-N.
16 Q. What state is that in?
17 A. Ohio.
18 Q. And what's your degree in?
19 A. Recreation management.
20 Q. When did you go to work for MTC?
21 A. 2019, March.
22 Q. Where were you employed immediately
23 before that?
24 A. A company called PAE.
25 Q. Is that a corrections company also?

8

1 leave the individuals off and just give me the
2 reasons.
3 A. Various reasons. It could be
4 contraband. It could be violation of contract.
5 A plethora of reasons over my career.
6 Q. All right. When you revoked the
7 security clearances, have they always related to
8 security in some way?
9 A. Prison operations.
10 Q. So is the answer they wouldn't
11 necessarily mean -- you would revoke a security
12 clearance even though the person had not made
13 any breach of security?
14 A. You're calling it a security clearance.
15 We usually call it a authorization for entrance,
16 allowing the person to come in and out of the
17 facility. And, again, over the years I've done
18 it for a plethora of different reasons.
19 Q. Give us some of the reasons. Give us
20 an example of what you've revoked it for. Just
21 give me specific facts on you revoked it on such
22 and such occasion for doing what.
23 A. Someone could bring in some contraband
24 found on them that would not allow them to come
25 into the institution. That would be a reason.

1 company's policies to make the final decision to
 2 revoke her security clearance?
 3 A. Yes, sir.
 4 Q. Did you confer with anybody from
 5 Centurion before you made the decision to revoke
 6 her security clearance?
 7 A. I notified -- I talked with Travis Day
 8 from Centurion, and then also had a conversation
 9 with April Meggs as well.
 10 Q. What was Ms. Meggs' position?
 11 A. I don't quite remember her exact
 12 position, but I know she's in a supervisory role
 13 at a pretty high level.
 14 Q. All right. So am I correct in saying,
 15 then, that before you revoked the security
 16 clearance, you had the approval of both Ms. --
 17 and correct me if I'm wrong -- did you have the
 18 approval of both Ms. Meggs and of Travis Day?
 19 A. Not approval --
 20 MR. LONG-DANIELS: Objection to form.
 21 MR. PEEPLES: Go ahead. You can
 22 answer.
 23 A. They're not in my chain. It was a
 24 conversation I had with Mr. Day, and then I
 25 followed up with a call to inform Ms. Meggs of

1 the direction I was going.
 2 BY MR. WAIDE:
 3 Q. Did you tell Ms. Meggs why you were
 4 making the decision?
 5 A. Yes, sir.
 6 Q. I'm seeing an e-mail -- and we'll go
 7 through that in a minute -- but do you recall
 8 telling her anything about why you were making
 9 the decision other than what's in the e-mail?
 10 A. What was in the e-mail we discussed,
 11 along with some other information that I had as
 12 well I discussed with her.
 13 Q. All right. Well, let's start with
 14 other information.
 15 Well, first of all, where did your
 16 information come from other than Travis Day?
 17 A. I had had prior conversation pertaining
 18 to information coming out of the institution
 19 through folks from Centurion and from the
 20 assistant director of the Mississippi Department
 21 of Corrections.
 22 Q. Who is that?
 23 A. That was Mr. Jerry Williams, who was
 24 the assistant director at that time.
 25 Q. Had you discussed with Mr. Jerry -- Mr.

15

1 Jerry Williams is a state employee of the
 2 Department of Corrections?
 3 A. That would be correct, sir.
 4 Q. Had you discussed with Mr. Williams
 5 that you were going to revoke the security
 6 clearance of Dr. Woods?
 7 A. I had made notification to him, as well
 8 when I did with Ms. Meggs and my folks as well.
 9 Q. What reason did you give Mr. Williams
 10 for revoking the security clearance?
 11 A. My discomfort of some of the
 12 information that had been given to me pertaining
 13 to information of the facility going outside of
 14 the facility to individuals pertaining to prison
 15 operations.
 16 Q. All right. Did your information, the
 17 information that you received that you based
 18 your decision on, did it come from anybody other
 19 than Travis Day?
 20 A. Correct, it did.
 21 Q. Who else did it come from? Who else
 22 gave you information other than Travis Day?
 23 A. Again, Mr. Jerry Williams and I had had
 24 conversation about this particular situation.
 25 Q. But what I want to know is by giving

16

1 you information, what information did
 2 Mr. Williams furnish to you? What did
 3 Mr. Williams tell you that she had done wrong?
 4 A. We had dialogue about information
 5 pertaining to the operation of the Marshall
 6 County Correctional Facility being given to
 7 individuals outside of the facility, if you
 8 will, and had an understanding that that
 9 information was being given to those individuals
 10 from individuals in the medical department from
 11 Centurion.
 12 Q. Here's my question: What is it that
 13 Mr. Williams told you -- I don't need, you know,
 14 "we had discussions," but just tell me what
 15 Mr. Williams told you that had been done wrong.
 16 What did he tell you that Dr. Woods has done
 17 that's wrong?
 18 A. He stated to me that information
 19 pertaining to, again, institutional operations
 20 in terms of security numbers, various things
 21 within the institution that is, again, in line
 22 with prison operations, was being shared with
 23 individuals outside of our facility.
 24 Q. When did Mr. Williams tell you that?
 25 A. The exact date I do not remember.

1 Q. Was it before or after you wrote the
2 e-mail where you said her security clearance is
3 terminated?
4 A. It was before.
5 Q. How long before?
6 A. The exact time table I wouldn't know,
7 but I know for sure it was months before.
8 Q. Where is Mr. Williams located?
9 A. He's retired, to my understanding, with
10 MDOC.
11 Q. No. Where was he located physically at
12 that time? Where was his office?
13 A. My understanding: It was in Jackson,
14 Mississippi.
15 Q. Did Mr. Williams tell you how he knew
16 in Jackson what Dr. Woods was doing up in
17 Marshall County?
18 A. Said to me that he had had dialogue
19 with some individuals that gave him that
20 information.
21 Q. Did he identify who they were?
22 A. Yes.
23 Q. All right. Who did he say they were?
24 A. I might mess the name up, so forgive me
25 if I do, but Representative Kinkade.

1 should know and should try to find out at least
2 about whether a company such as your company is
3 doing a good job. Correct?
4 A. That would be fair.
5 Q. Would that also be true of
6 Mr. Williams?
7 A. That would be fair.
8 Q. And so what -- well, first of all, did
9 you know -- you only came, if I remember, in
10 March of 2019 --
11 A. Correct.
12 Q. -- to Marshall County?
13 A. Correct, sir.
14 Q. Did you ever know Mr. Day before that?
15 A. No, sir.
16 Q. So how did you know Mr. Day was telling
17 you the truth when he made the statements that
18 he made to you?
19 A. The information that Mr. Day gave me
20 coincided with the previous information that I
21 had months ago from Mr. Williams.
22 Q. All right. We've been furnished
23 discovery, and we haven't seen any written
24 documents from Mr. Williams. Do you have such
25 documents?

1 Q. Okay. So Williams told you that she
2 had conversations with Representative Kinkade.
3 A. Correct.
4 Q. What's the relationship between
5 Representative Kinkade and Mr. Williams?
6 A. That I'm not real sure of, but I make
7 the assumption, with his position, that he would
8 have to have had meetings and dialogue and
9 conversations with him over various things
10 within MDOC.
11 Q. All right. Did you talk to
12 Mr. Kinkade?
13 A. No, sir, I did not.
14 Q. Mr. Kinkade is a chairman of a
15 corrections committee in the Mississippi State
16 House of Representatives, is he not?
17 A. That would be true to my knowledge.
18 Q. Do you agree that it is appropriate and
19 lawful for a state representative to have
20 knowledge of the prison operations of any prison
21 being operated by a contractor for the State of
22 Mississippi?
23 A. They would have a working knowledge,
24 yes.
25 Q. In other words, a state representative

1 A. I do not, sir.
2 Q. Do such documents exist?
3 A. To my knowledge, I don't know.
4 Q. Well, did you write any documents to
5 him?
6 A. No, sir, not pertaining to this
7 situation that I can recall.
8 Q. Did he write any to you?
9 A. Not that I can recall pertaining to
10 this situation.
11 Q. Did he call you on the phone and tell
12 you that -- was it on the phone that he called
13 you and he said Dr. Woods is talking to a member
14 of the state legislature?
15 A. We had verbal conversation once in
16 pub- -- face to face, if my memory serves me
17 correct, and again via phone.
18 Q. Did all the conversations concern the
19 claim that she was talking to a state
20 legislature, Representative Kinkade?
21 A. Jerry Williams and I had various
22 conversations on many things, but we had one or
23 two conversations pertaining to information
24 coming from the medical department about prison
25 operations at Marshall.

1 Q. Here's my question, sir: Other than
2 the fact that, according to you, Mr. Williams
3 said "Amy Woods has been talking to
4 Representative Kinkade about some things going
5 on in the prison," did you have any
6 conversations with him about anything else that
7 she was doing other than talking to this state
8 representative?

9 A. Not to my knowledge, no.

10 MR. LONG-DANIELS: Objection to form.

11 BY MR. WAIDE:

12 Q. Now, do you understand that it's the
13 right under the First Amendment of the United
14 States Constitution, or would you understand
15 that it was the right of any citizen of the
16 state of Mississippi to talk to a member of the
17 legislature about a matter of concern to the
18 citizen?

19 MR. LONG-DANIELS: Objection to form.

20 MR. PEEPLES: Objection.

21 BY MR. WAIDE:

22 Q. I'm sorry, I didn't understand your
23 answer.

24 MR. PEEPLES: I objected to --
25

1 concern? That's the right of every citizen of
2 the United States, isn't it, sir?

3 MR. PEEPLES: Objection to form.

4 A. Yes, I understand.

5 BY MR. WAIDE:

6 Q. You understand that?

7 A. Um-hum, yes.

8 Q. Your answer is yes. All right.

9 And so if it's the right of every
10 citizen to talk to a legislator on a matter of
11 public concern, what problem did you have with
12 Ms. Woods talking to the legislator?

13 A. The problem that I had was prison
14 operations being discussed in that form with
15 those types of individuals. There's a time and
16 a place and a way that should have manifested
17 itself, and my understanding it did not. So
18 that's the problem that I had.

19 Q. All right. Say that again now. Are
20 you saying a citizen can only talk to a
21 legislator in a certain form and a certain
22 place?

23 A. No, sir. I think the question you
24 asked me was what's the problem, the concern
25 that I had.

1 BY MR. WAIDE:

2 Q. You're looking at your counsel. Don't
3 look at your counsel. Talk to me.

4 MR. PEEPLES: He's waiting for you to
5 finish -- let us finish talking, then. He
6 was waiting.

7 MR. WAIDE: We don't need -- you're
8 not supposed to confer with your counsel
9 during your deposition.

10 MR. PEEPLES: He's not. He's waiting
11 for you to quit talking over him, and he's
12 looking to me to finish my objection. You
13 keep talking over the witness.

14 I object to the form. I think David
15 did as well.

16 MR. LONG-DANIELS: I did object.

17 MR. PEEPLES: Now Mr. Williams can
18 answer.

19 THE WITNESS: What was the question
20 again?

21 BY MR. WAIDE:

22 Q. Did you understand that it's the right
23 of every citizen -- in fact, the duty of every
24 citizen -- to talk to a legislator on any matter
25 of public concern, any legitimate public

1 Q. Yeah. What is -- I'm sorry.

2 A. The problem that I had --

3 MR. LONG-DANIELS: Please let him
4 answer the question.

5 BY MR. WAIDE:

6 Q. Go ahead.

7 A. The problem that I had was that
8 information of prison operations, specific
9 prison operational things being shared with that
10 individual from -- in that form posed that to be
11 a problem for me.

12 Q. All right. Sir, do you believe that a
13 member of the legislature has a right to know
14 about prison operations at a private prison
15 that's contracted with the state to house
16 inmates? Do you think a member of the
17 legislature has a right to know that?

18 A. Yes, sir, I do.

19 Q. Do you believe that -- what was
20 Mr. Jerry Williams' position?

21 A. I call him the assistant director, but
22 I think it was a deputy institutional
23 commissioner was the exact title.

24 Q. Well, he worked for the Mississippi
25 Department of Corrections in some fashion.

1 correct?

2 A. Correct, yes.

3 Q. And the state legislature regulates the

4 state Department of Corrections, do they not?

5 A. Yes, sir.

6 Q. Do you think that it's a legitimate

7 public interest and concern that a member of the

8 legislature be allowed to communicate with a

9 member of the Mississippi Department of

10 Corrections?

11 A. I have no problem with that.

12 Q. The only thing that you had a problem

13 with -- your problem was that Ms. Woods talked

14 to the state legislator?

15 A. No, sir, that's not what I said.

16 Q. All right. Well, tell me what you

17 said. What is the problem you had with

18 Ms. Woods -- I'm sorry -- with Dr. Woods in

19 talking to the -- you had some problem besides

20 the mere fact that she talked -- according to

21 you, that she talked to Dr. Woods [sic]. What

22 is that problem?

23 A. I have zero problem with Dr. Woods. I

24 have a problem with information pertaining to

25 prison operations going outside of the facility

1 telling the state legislator, then, about the

2 fact that y'all had inadequate security up there

3 and, as a result, y'all weren't getting

4 prisoners over for medical attention. You

5 didn't have a problem with that?

6 A. I have a problem with that type of

7 vernacular of prison operations being discussed

8 outside the facility.

9 Q. In other words, you don't think the

10 state legislator should be able to learn that a

11 doctor up there who's providing medical

12 treatment for prisoners is concerned about the

13 lack of security so that she could get the

14 prisoners over to see her? You don't think she

15 should be able to tell the legislator about

16 that?

17 MR. PEEPLES: Object to the form.

18 MR. LONG-DANIELS: Form.

19 MR. PEEPLES: You can answer.

20 A. I have -- again, I have no problem with

21 the legislator learning and knowing any of that.

22 Again, my problem comes down to how the

23 information was given because it's a -- it's

24 problematic as you deal with prison operations.

25

1 in the manner in which it did.

2 Q. Well, what manner do you think it ought

3 to go outside the facility?

4 A. It's a way, the chain of command that

5 should have been followed in my mind.

6 Q. All right. Had you not in the past had

7 any conversations with Dr. Woods about y'all's

8 shortage of security and not being able to get

9 prisoners over to see her? Had you not had

10 problems with her about that?

11 MR. LONG-DANIELS: Objection to form.

12 BY MR. WAIDE:

13 Q. Let me start that over. Had Dr. Woods

14 not told you that she was concerned about not

15 getting the prisoners over to see her for

16 medical care? Had she not told you that?

17 A. She's voiced that opinion before, yes.

18 Q. So that's what you had a problem with.

19 A. No, sir, not at all.

20 Q. Well, is that not the same thing she

21 told the state -- that you believe she told the

22 state legislator?

23 A. That's part of some of the things that

24 I believe she said to the state legislator.

25 Q. But you don't have a problem with her

1 BY MR. WAIDE:

2 Q. I need to know specifically what you're

3 talking about. How should she have told the

4 legislator about it?

5 A. She has a chain of command she could

6 have followed through the company which she

7 works with.

8 Q. All right. So in answer to the

9 question, she should not have directly talked to

10 the legislator?

11 A. Your question was how should she have

12 done it. My answer is she should have gone

13 through her chain of command.

14 Q. Well, the legislator was not in her

15 chain of command. Correct?

16 A. Not to my knowledge, she is not.

17 Q. Therefore, she should not have talked

18 to a member of the legislature.

19 A. That's her choice. I'm just telling

20 you how I feel and the way I viewed it.

21 Q. And that's the reason you took her

22 security clearance away. Correct?

23 A. The security -- the authorization for

24 entrance was pulled because of prison operations

25 and information being given to folks outside of

1 the facility.
 2 Q. Who did she give it to other than the
 3 legislator in your opinion?
 4 A. That's all the information that I have.
 5 Q. All right. So, then, it's your opinion
 6 that she should not have talked to the
 7 legislator.
 8 A. No, sir --
 9 MR. LONG-DANIELS: Objection to form.
 10 A. -- that's not what I'm saying.
 11 BY MR. WAIDE:
 12 Q. Sir?
 13 A. No, sir, that's not what --
 14 Q. Your counsel was saying something. I
 15 didn't hear what your counsel said.
 16 MR. PEEPLES: I didn't say anything.
 17 David objected to the form of your
 18 question. I didn't say anything. He
 19 looked at me to ask if he could answer. I
 20 told him to go ahead.
 21 A. No, sir. My problem is just, again,
 22 prison operation information being distributed
 23 outside of the institution.
 24 BY MR. WAIDE:
 25 Q. Well, specifically, all you've told us

1 place.
 2 Q. Let's look at the exhibit, and we'll
 3 see what took place. Let's look at Defendant
 4 Exhibit 1.
 5 A. (Reviews document)
 6 Q. This is a letter that you got from
 7 Travis Day. Correct?
 8 A. Correct.
 9 Q. And you first met Travis Day when you
 10 came to work at Marshall County Correctional
 11 Facility, I believe?
 12 A. Yes, sir.
 13 Q. Isn't it true, sir, that Dr. Woods told
 14 you that in fact she had not ever talked to this
 15 state legislator?
 16 MR. LONG-DANIELS: Objection to form.
 17 BY MR. WAIDE:
 18 Q. Didn't she tell you that?
 19 A. I don't recall, nor do I remember that.
 20 Q. Well, let's look at it. It says -- and
 21 you describe what she's talking about, which is
 22 "something that's" -- third line -- "something
 23 that's been going on with security, such as not
 24 having enough staff to bring patients."
 25 Do you see that?

1 so far is she talked to a legislator. Do you
 2 have anybody else that you can tell us that she
 3 talked to other than a legislator?
 4 A. To my knowledge, no.
 5 Q. All right. Did she do anything wrong
 6 in your opinion by talking to the legislator?
 7 A. My problem -- her talking to the
 8 legislator is her right. My problem comes down
 9 to information with the prison operations being
 10 given out. That becomes my issue.
 11 Q. All right. She could talk to the
 12 legislator but could not talk to the legislator
 13 about prison operations. Is that right?
 14 MR. LONG-DANIELS: Objection to form.
 15 A. What she talks to the legislature
 16 about, that's her business. If it pertains to
 17 the prison operation of the Marshall County
 18 Correctional Facility, then it becomes a
 19 different issue.
 20 BY MR. WAIDE:
 21 Q. All right. So that your problem with
 22 her is that she talked to a legislator about
 23 prison operations.
 24 A. I have zero problem again with
 25 Dr. Woods. I have a problem with what took

1 A. It's on this one here?
 2 MR. PEEPLES: The third line.
 3 MR. WAIDE: The third line.
 4 MR. LONG-DANIELS: Page 1, Jim?
 5 MR. WAIDE: Yeah, page 1.
 6 A. (Reviews document) Okay, I see it.
 7 Yes.
 8 BY MR. WAIDE:
 9 Q. So according to what you said in this
 10 e-mail, what she talked about was "something
 11 going on with security, such as not having staff
 12 to bring patients." That's what you said.
 13 MR. LONG-DANIELS: Objection.
 14 A. No, that's not what I said. This is
 15 from Travis Day.
 16 BY MR. WAIDE:
 17 Q. I'm sorry. That's what Travis Day told
 18 you.
 19 A. In the e-mail. This is from Travis Day
 20 to April Meggs. Yes, same e-mail I received.
 21 Q. All right. So you do have a problem
 22 with that if she -- if Travis Day is telling the
 23 truth there, you have a problem with that?
 24 A. No, sir. No, I don't with what Travis
 25 Day put here.

1 Q. Okay. She said the representative
2 drove through the parking lot, and the
3 representative had an issue with the number of
4 cars or trucks. That's something that she told
5 Day.
6 A. According to Mr. Day.
7 Q. Do you have a problem with that?
8 A. No. I have no problem with anything
9 that's in this e-mail.
10 Q. Okay, you have no problem with anything
11 in this e-mail, which is she's been going --
12 "something's going on with the security, such as
13 not having enough staff to bring patients."
14 That's talking about bringing patients
15 to medical. Correct?
16 A. I would assume that by who the author
17 of the e-mail is. I don't know if this e-mail
18 is referencing something that happened in June
19 or something that happened prior to that.
20 Q. All right. And then, according to Day,
21 Dr. Woods stated that this representative had
22 driven through the parking lot and noted a lack
23 of cars in the parking lot. Right?
24 A. According to Mr. Day, correct.
25 Q. Would that cause any problem for you if

1 a member of the state legislature drove through
2 there and determined there wasn't any staff
3 members working?

4 A. Just because you drive through the
5 parking lot doesn't mean that there's no staff
6 members working. I have many staff members who
7 commute to work and car pool together. The
8 unfortunate reality is where some of my staff
9 live at, I also have staff that walk to work.
10 So just because you see a number of cars in the
11 parking lot does not dictate the number of staff
12 we have on that shift.

13 Q. This is Representative Kinkade? Do you
14 know now who the legislator was?

15 A. Yeah. To my knowledge from what I'm
16 understanding it to be, he.

17 Q. Do you have to report -- you or
18 somebody at your office -- have to report either
19 to the legislature or the State Department of
20 Corrections about the number of staff members
21 that you have working?

22 A. Yes.

23 Q. Do y'all do that in written form?

24 A. Yes, we do.

25 Q. How often do you do it?

1 A. We do that -- it's more than one
2 report. Some things we send weekly; some things
3 we send monthly; some things we send quarterly.
4 Q. In 2019, say from the time you started
5 to work until Dr. Woods was fired, you have
6 records of where you sent those reports to the
7 legislature and to the State Department of
8 Corrections?
9 A. I don't believe we sent anything to the
10 legislature. We send everything that we have to
11 the Mississippi Department of Corrections and
12 also to our corporate office with MTC.
13 Q. Do you still have those records that
14 you send to the State Department of Corrections?
15 A. I'm sure we do, yes, sir.
16 MR. WAIDE: We're going to request a
17 copy of those be provided as part of
18 discovery.
19 BY MR. WAIDE:
20 Q. Were y'all understaffed in early 2019,
21 between April and June 2019?
22 A. Yeah. I got there March. April to
23 June, yeah, we were not fully -- we were not
24 fully staffed. Excuse me.
25 Q. Had anybody other than Dr. Woods -- I

1 take it Dr. Woods had complained to you about
2 not being able to get the patients over to her,
3 had she not?

4 A. Dr. Woods had made it be clear in a
5 very respectful manner in terms of wanting to
6 see patients and some challenges with our
7 security in getting them over there, et cetera.

8 Q. All right. Had anybody else from
9 Centurion other than Dr. Woods ever expressed
10 any concerns along that line?

11 A. Travis Day and I had consistent
12 conversations about operations in terms of
13 seeing patients, the best way of doing such,
14 putting some things in place that could help us
15 to see more patients in a safe and secure
16 manner.

17 Q. So Dr. Woods -- I mean Travis Day was
18 making the same complaints, then, that Dr. Woods
19 was making?

20 A. Travis never made any complaints to me.
21 We had dialogue about how we could work together
22 to get as many patients over to medical to be
23 seen in a safe and secure manner.

24 Q. All right. Other than Dr. Woods -- is
25 she the only one, then, that would make what you

1 Dr. Woods denied it or not. Am I correct?

2 A. I didn't hear the last part, sir. I'm

3 sorry.

4 Q. When you had your meeting with

5 Dr. Woods and told her that you were canceling

6 her security clearance, is it true or not true

7 that she told you at the time "I never did even

8 talk to this state legislator"?

9 A. I believe she may have said that she

10 did not talk to the state legislator.

11 Q. And did you tell her you didn't believe

12 her?

13 A. I think I told her I respected what she

14 said but chose to go a different -- chose to go

15 a different path.

16 Q. Do you agree in general that a citizen

17 of the United States has the right to bring to a

18 member of the legislature a belief that -- if

19 she believes that the staff is shortsighted

20 [sic] so that safety is a concern and so that

21 getting prisoners to medical attention is

22 concerned, do you believe a citizen of the

23 United States has the right under the free

24 speech provision of the United States

25 Constitution to talk to a legislator and let the

1 allowing us to have patients being brought to

2 the medical area.

3 Q. So you didn't want her telling the

4 state representative that y'all weren't bringing

5 patients to the medical area? You didn't want

6 her telling him that?

7 A. My problem is any prison operational

8 information being shared with folk outside the

9 facility becomes problematic.

10 Q. Sir, isn't it true that y'all work for

11 the state of Mississippi, for the legislature of

12 the state of Mississippi?

13 MR. PEEPLES: Objection.

14 A. We work for MTC, Management & Training

15 Corporation. We have a contract with the

16 Mississippi Department of Corrections.

17 BY MR. WAIDE:

18 Q. Yes, sir. And you're answerable to the

19 State Department of Corrections, aren't you,

20 sir?

21 A. Yes, sir.

22 Q. Is the State Department of Corrections

23 not entitled to know how you're running the

24 prison and whether you're having adequate

25 security or not?

1 legislator know about those concerns?

2 MR. LONG-DANIELS: Objection to the

3 form.

4 A. Again, as stated before, I do believe

5 an individual has the right to do such.

6 BY MR. WAIDE:

7 Q. And you believe that's their right

8 under the United States Constitution?

9 MR. PEEPLES: Object to the form.

10 You've asked him that at least a dozen

11 times already.

12 MR. WAIDE: And he still hasn't

13 answered.

14 MR. PEEPLES: He has answered.

15 BY MR. WAIDE:

16 Q. What's the answer?

17 A. Again, I believe the individual has the

18 right to do such.

19 Q. Is there anything else in Exhibit 1

20 that concerns you other than what you just

21 pointed out about the state representative

22 driving through the parking lot and counting the

23 cars? Anything else that concerns you there?

24 A. The first paragraph pertaining to going

25 through security and looking at numbers, not

1 A. Predicated upon the reports that we

2 send weekly, monthly, and quarterly, they know

3 our numbers.

4 Q. Well, assuming you tell the truth in

5 the reports, they know your numbers. Correct?

6 MR. LONG-DANIELS: Objection.

7 A. As we do tell the truth, with our

8 numbers, they have the reports.

9 BY MR. WAIDE:

10 Q. All right. Had the State Department of

11 Corrections -- is Mr. Williams the person you

12 dealt with?

13 A. He was one of the individuals that I

14 dealt with.

15 Q. Had he ever expressed concerns to you

16 about your lack of staff?

17 A. We had dialogue with our numbers, as

18 every institution across the state of

19 Mississippi is challenged with the same issue in

20 terms of recruiting and keeping the numbers up.

21 Q. Is that the reason -- in your opinion

22 as a corrections person, is that the reason we

23 have so many reports in the news media about

24 prisoners and guards being assaulted in the

25 state prisons? Is that the reason you have that

1 problem?

2 A. Again, I can only speak on the Marshall

3 County Correctional Facility, sir.

4 Q. Well, I think I saw in the news reports

5 y'all had in either April or May a guard who was

6 assaulted at the Marshall County Correctional

7 Facility and pretty seriously injured, did you

8 not?

9 A. Yes, we did.

10 Q. Was that because of lack of security?

11 A. No, sir. That was because the

12 individual, unfortunately, violated our policies

13 and ended up getting hurt.

14 Q. Up to this point have you told us every

15 reason -- well, look on the second document on

16 Exhibit 1. It's Bates No. 37. If you would

17 pull that out.

18 MR. PEEPLES: Exhibit 1?

19 MR. WAIDE: Exhibit 1, Bates No. 37,

20 yeah.

21 BY MR. WAIDE:

22 Q. It's under Exhibit 1. It's the second

23 page of Exhibit 1.

24 A. (Reviews document) Okay.

25

1 A. Okay.

2 Q. Is that correct?

3 A. That would be correct.

4 Q. Have you ever talked to this state

5 legislator about your staff shortage?

6 A. No, I have not.

7 Q. Did you not feel it was necessary to

8 straighten him out on his coming up there and

9 counting those cars as not being an accurate way

10 of determining it?

11 A. Nope, not at all.

12 Q. You don't consider yourself to be

13 answerable to the state legislature?

14 A. I consider myself to be answerable to

15 those individuals that I'm supposed to be

16 answered to, sir.

17 Q. Who is that?

18 A. I have zero problem talking to the

19 state representative. I've made calls to him

20 before with no return call.

21 Q. Before you sent -- this is dated

22 June 26, 2019. Do you have any documents

23 showing that you had inquired or made

24 arrangements about having some doctor to take

25 Dr. Woods' place before you sent this e-mail on

1 Q. I'm reading: "Please be advised that

2 effective June 26, 2019, Dr. Woods no longer has

3 gate clearance to enter the facility."

4 Do you see that?

5 A. Yes.

6 Q. Have you already told us all the

7 reasons you revoked her gate clearance to enter

8 the facility, or are there other reasons?

9 A. No, that would be it.

10 Q. You've already covered it already.

11 Correct?

12 A. Yeah. Again, that's dealing with what

13 I deal with as sharing prison operations at the

14 Marshall County Correctional Facility with folks

15 outside of the facility.

16 Q. Well, specifically what you're talking

17 about is talking to a legislator about staff

18 shortages at the Marshall County Correctional

19 Facility.

20 A. I'm dealing with prison operations

21 being shared with folks who shouldn't have been

22 shared with.

23 Q. Meaning the state legislator, because

24 you don't have any knowledge she shared it with

25 anybody else.

1 June 26, 2019?

2 A. Written documents, no; verbal

3 communication with Mr. Travis Day. We talked

4 about coverage that they would have. And my

5 dialogue with him -- and of course with April --

6 talked about, predicated upon their contract,

7 they're responsible for making sure that we have

8 adequate coverage.

9 Q. All right. Am I taking it, then,

10 before you sent this on June 26, you asked

11 Travis Day in April, "Do y'all have somebody

12 else you can send down here if I revoke her

13 clearance?"

14 MR. LONG-DANIELS: Objection to form.

15 A. We had dialogue about what I was going

16 to do, and then we also talked about their

17 responsibility of making sure we're adequately

18 covered predicated upon their contract.

19 BY MR. WAIDE:

20 Q. Who did they tell you they had who

21 could cover it?

22 A. I want to say a nurse practitioner that

23 they also throughout the months. We've had I

24 want to say at least two or three different

25 doctors come through for long periods of time

1 BY MR. WAIDE:
 2 Q. It's Exhibit 2, then. If you'll look
 3 at Exhibit 2 that's here.
 4 A. (Reviews document)
 5 Q. Look at Exhibit 2. This is a part --
 6 it's just a couple of examples of people with
 7 serious medical needs that's discussed in the
 8 complaint that I want to ask what you know about
 9 them.
 10 A. The one on April, I had just got there.
 11 Q. Just read them to yourself. Just read
 12 the first one to yourself, and I'll ask you some
 13 questions about it.
 14 A. (Continues to review document)
 15 April 25th, I just got there in March, so this
 16 one I don't even recall on the 25th of April.
 17 Q. Well, you say you don't recall it.
 18 You're reading it now. You've been served
 19 with -- have you ever read the second amended
 20 complaint that's been filed in this case, to
 21 your knowledge?
 22 A. I don't believe so.
 23 Q. All right. I'm going to read a part of
 24 it to you, and it says here "Nurse Practitioner
 25 Traci Cox and Dr. Woods gave the order for the

1 sexually assaulted, and let's assume that the
 2 medical doctor, Dr. Woods, says this prisoner
 3 needs to be taken to the Baptist Memorial
 4 Hospital, and he says he's been sexually
 5 assaulted, specifically raped. Do you agree or
 6 disagree that if you refuse to take a prisoner
 7 immediately out to the Baptist Memorial Hospital
 8 that you would be neglecting your serious
 9 medical needs?
 10 MR. PEEPLES: Object to the form.
 11 A. Well, let's assume in your scenario
 12 that staffing numbers and everything else being
 13 what they may would determine what we could do.
 14 we always take -- we always put our offenders
 15 first and foremost, their medical needs, but we
 16 also deal with making sure that we're doing
 17 things in a secure manner that keeps everyone
 18 safe.
 19 BY MR. WAIDE:
 20 Q. So it may be -- it may be -- it could
 21 have been that this -- this could be true, that
 22 this prisoner did not get taken, and the reason
 23 would be because y'all didn't have enough
 24 security staff to take him. Correct?
 25 A. No, sir. My answer was predicated upon

1 inmate" -- the inmate is not identified here,
 2 but he's an inmate who's been sexually
 3 assaulted -- and it says they "gave the order
 4 for the inmate to be taken off-site for . . .
 5 medical purposes. The MTC security staff
 6 declined to take the inmate to the emergency
 7 room at Baptist Memorial Hospital at the time;
 8 they finally did so the next day."
 9 Do you know whether that's true or not?
 10 A. Not without going through
 11 documentation, no, sir, I don't.
 12 Q. Do you agree with me that that would be
 13 a violation of your duties to take care of the
 14 serious medical needs of prisoners if you
 15 refused to take a patient who had been sexually
 16 assaulted outside the facility to the Baptist
 17 Memorial Hospital if the doctor thought that the
 18 patient needed that treatment, needed to go to
 19 that facility?
 20 A. I could not make a -- I could not agree
 21 or disagree with you at this point without going
 22 back and taking a look at the record to see what
 23 all entailed at that time and date.
 24 Q. Well, let's just assume for the sake of
 25 argument there's a prisoner here who's been

1 your assumption and your scenario. My answer to
 2 this particular date of this situation of
 3 April 25th is I would have to go back and take a
 4 look at our records and see what all entailed.
 5 I'm going by what someone wrote versus what I'm
 6 reading that took place that day.
 7 Q. All right. This next one refers to a
 8 patient -- this is right before Dr. Woods was
 9 fired. Happened either June 21st or June 22nd,
 10 and this patient had his ear bitten off. Do you
 11 see that?
 12 A. Yes, I see what it says.
 13 Q. Do you see that?
 14 A. Yes, sir.
 15 Q. And it says Dr. Woods and Nurse Stepp
 16 were wanting to take this prisoner to the
 17 University of Mississippi Medical Center, and
 18 Captain Steve [sic] Rodgers, an employee of MTC,
 19 said they didn't have enough staff to transport
 20 the prisoner. Do you know anything about that?
 21 A. Not without going back and looking at
 22 records, sir.
 23 Q. Do you remember Dr. Woods -- you don't
 24 remember a prisoner whose ear had been bitten
 25 off and Dr. Woods was wanting to take the

1 prisoner to University Medical Center?

2 A. That doesn't recall -- I'm not saying

3 that it did not happen; I just don't recall it

4 at all that I can remember from that time in

5 June.

6 Q. Well, that would seem to me to be --

7 you've only been there a short time. You've

8 only been there about three months or so, and

9 here's two incidents where one prisoner has been

10 sexually assaulted and another prisoner has had

11 his ear bitten off, and you don't have any

12 recollection of either case?

13 A. I don't have the information in front

14 of me to determine what is being written on this

15 paper is adequate. I don't have those -- I

16 don't have that information in front of me, sir.

17 Q. All right. Exhibit 3 pertains to a

18 discussion that you had had concerning -- well,

19 look at Exhibit 3. It's more than one page.

20 Look through Exhibit 3.

21 A. (Reviews document)

22 Q. This incident in Exhibit 3 originates

23 with a request by Dr. Woods that she be allowed

24 to see ten patients at a time instead of just

25 six. Do you see that?

1 So until we had a better understanding

2 and a better practice of having the right type

3 of security offenders there at the right time

4 together, I was not comfortable having ten

5 inmates back there instead of six.

6 Q. Was that for security reasons?

7 A. That was for security reasons, sir.

8 Q. If you had adequate staff, if you had

9 enough staff to where you could adequately staff

10 supervising ten inmates at various security

11 levels, then there wouldn't have been any

12 problem with what Dr. Woods was requesting. Am

13 I correct?

14 MR. PEEPLES: Object to form.

15 A. No, you're incorrect, sir. And the

16 reason why is you don't mix security levels

17 inside of a prison like there. Not for two,

18 ten, or six offenders. So the security was

19 not -- the security was not about the number of

20 officers; it was security for everyone so you

21 can try to minimize individuals from being hurt

22 because you have guys back there of different

23 security levels, minimum up through maximum.

24 BY MR. WAIDE:

25 Q. Why was Dr. Woods wanting ten patients

1 A. Yes.

2 Q. And you ultimately said, no, we're not

3 going to do that?

4 A. Correct.

5 Q. What do you remember about it other

6 than that?

7 A. We had a lot of times in our medical

8 department what I call "a bag of Skittles." I

9 had minimum level inmates to maximum level

10 inmates back there at the same time. Not good

11 prison operations and extremely bad security

12 measures to be able to do so. So some of the

13 meetings that we would have would deal with

14 having proper security -- excuse me -- having

15 proper inmates back there that are the same

16 security level, not having close security

17 inmates back there with minimum level inmates or

18 medium level back there with maximum security

19 inmates. And we would deal with things such as

20 the foot doctor may be there, the dentist may be

21 there, the nurses want to see inmates for sick

22 call, and they're all calling inmates up that

23 you want back there. I've got five or six,

24 seven, ten inmates of different security levels

25 at the same time. That's never good.

1 back there at a time? Do you know?

2 A. I would make the assumption she would

3 want to see more offenders, which I get,

4 especially when you have other principals

5 there -- foot doctor, dental folks -- and I get

6 it. I understand it wholeheartedly; you're

7 paying those folks. But we also have to be safe

8 in making sure we have folks not just calling

9 offenders up of different security levels to be

10 seen by medical personnel. That becomes a

11 security breach -- again, not by the number of

12 staff you have, by the number of inmates you

13 have there of different security levels.

14 Q. Are you sure, sir -- do you remember

15 for a fact that Dr. Woods was not requesting ten

16 inmates of the same security level?

17 A. To my knowledge, one of the reasons

18 that this and other memos that I authored was

19 because of the mixing that we continued to see

20 of different security level offenders within the

21 medical department.

22 Q. Do you have any document where you ever

23 explained that to Dr. Woods?

24 A. I have a document, I believe, that

25 talked about the number of offenders that should

1 be back there and not mixing different levels
2 together.
3 Q. All right.
4 MR. WAIDE: Would you hand that to
5 the court reporter and ask her to make
6 that an exhibit to the deposition. That
7 would be Exhibit No. --
8 MR. PEEPLES: I think it's already.
9 I remember seeing it.
10 MR. WAIDE: -- No. 22. We'll mark it
11 No. 22, whatever document he's referring
12 to. If you'll give it to the court
13 reporter, she can make it an exhibit. You
14 say you have it, so let's put it in.
15 Could you mark that Exhibit 22.
16 MR. PEEPLES: She's not -- she's not
17 in here.
18 COURT REPORTER: If he will e-mail
19 that to me, I will --
20 MR. PEEPLES: I'll e-mail it to her.
21 I can't hand it to her.
22 MR. WAIDE: Oh, I see what you're
23 saying. I see what you're saying. Sorry.
24 MR. LONG-DANIELS: Do you have the
25 Bates number?

1 Q. Do you remember an offender named
2 Kelly, about you getting into Kelly's medical
3 treatment?
4 A. What about Kelly? I don't even know.
5 Q. That's my question. Do you remember
6 getting involved in "why is Kelly being taken to
7 medical?" Do you remember getting into that?
8 Exhibit 5. You should have Exhibit 5 there
9 before you.
10 A. (Reviews document) Yeah, this offender
11 seriously assaulted one of my officers back in
12 medical. And so in running an investigation, I
13 wanted some questions answered to me that dealt
14 with the investigation.
15 Q. And you wanted to know why Kelly was in
16 medical? Did you see Kelly in the medical? Did
17 you see him there?
18 A. My question was one of many that I
19 asked of her and several other individuals as I
20 was fact-finding information pertaining to the
21 investigation of a serious assault of staff.
22 Q. All right. In Exhibit 5 you want to
23 know why he was there and asked some other
24 questions about him, and she answered your
25 questions. Right?

1 MR. PEEPLES: If you tell me how to
2 do it, I'll do it, but I don't think I
3 can.
4 MR. WAIDE: All right. Maybe we can
5 send it over by carrier pigeon or
6 something.
7 Give it to your counsel and he'll
8 send it to her.
9 MR. PEEPLES: We produced it. It's
10 MTC68. I believe it was just produced
11 last week, Jim, and you may have it, but
12 I'll send it to Ms. Allen as an exhibit.
13 (DOCUMENT PREVIOUSLY MARKED AS EXHIBIT 7)
14 BY MR. WAIDE:
15 Q. Did you ever get involved personally in
16 why particular prisoners would be sent to
17 medical? Did you ever get involved in that
18 personally?
19 A. I would from time to time because I'm
20 on the compound a lot, would see offenders; and
21 if I think someone should be seen by medical, I
22 would normally call the HSA and say, "Hey, if
23 you get a chance, if you have it, see Offender
24 x" for various reasons. But, you know, I've
25 done that on more than a few occasions.

1 A. Correct.
2 Q. And she said he -- look at page 2 of
3 Exhibit 5. She said because Kelly had
4 complaints of chest pain, was dehydrated, and
5 had an abnormally elevated heart rate?
6 A. Correct.
7 Q. That's why she said he was there. Do
8 you think those were not sufficient reasons to
9 have him in medical?
10 A. I never said that it wasn't. I was
11 just, again, fact-finding. She's not the only
12 individual that I asked these type of questions
13 to pertaining to an investigatory process of a
14 physical assault of a staff member. There was
15 no HSA there also at the time, so she was pretty
16 much -- my words -- the liaison between -- for
17 medical for Centurion. If there was an HSA
18 there, she would have been -- those questions
19 would have been addressed to that individual and
20 not to Dr. Woods.
21 Q. All right. Turn to Exhibit 6.
22 A. (Witness complies)
23 Q. You see Exhibit 6?
24 A. Yes.
25 Q. The substance of this is where somebody

1 their employees, sir.

2 MR. WAIDE: Give me just a minute to

3 look at my notes.

4 (OFF THE RECORD)

5 BY MR. WAIDE:

6 Q. Sir, you earlier said you have a B.A.

7 in recreational management. Had you ever had

8 any training -- had your company ever given you

9 any specific training telling you that you're

10 under a duty to make sure that the prisoners'

11 serious medical needs are taken care of? Did

12 they give you any training to that effect?

13 A. Every place that I've worked at that

14 involved prison operations, making sure that

15 adequate medical and mental health services to

16 offenders was always one of our major

17 stakeholders.

18 Q. Have you received in your training --

19 at every prison you've ever went to, have you

20 received training that it's -- that you are

21 legally required to not be willfully indifferent

22 to the serious medical needs of prisoners? Have

23 you received training to that effect?

24 A. We've had training throughout my career

25 that helps us to understand that.

1 A. No, sir. I was -- I was made assured

2 that the level and the quality of care that had

3 been ongoing at Marshall from Centurion will

4 continue.

5 BY MR. WAIDE:

6 Q. And who assured you of that?

7 A. My conversations with Travis Day was

8 major in that, and, also, I felt that same

9 assurance in my conversations with Ms. Meggs

10 also.

11 Q. Both of them assured you that they

12 would be able to give adequate medical care

13 without her being there. Am I correct?

14 A. They would continue to give adequate

15 medical care.

16 Q. Are you the one that brought that up,

17 or did they bring it up, about making sure --

18 A. I'm sorry, sir.

19 Q. Are you the one that asked them, "Can

20 you provided adequate medical care?" or did they

21 bring it up to you and say, "Don't worry about

22 it. We can provide adequate medical care if you

23 want to get rid of her"?

24 MR. LONG-DANIELS: Objection to form.

25 A. I'm not quite sure who brought it up; I

1 Q. So you understood -- ever since you've

2 been in corrections, you've had training to the

3 effect that you're under a duty to make certain

4 that the serious medical needs of prisoners are

5 taken care of. Am I correct?

6 MR. LONG-DANIELS: Objection to form.

7 BY MR. WAIDE:

8 Q. I'm correct?

9 A. Correct.

10 Q. I heard somewhere that you're a

11 minister. Is that correct?

12 A. Yes, I was, sir.

13 Q. Do you preach anywhere now?

14 A. No, sir. That was back in the state of

15 Ohio.

16 Q. All right. When you talked with the

17 representative of Centurion concerning your plan

18 to revoke Dr. Woods' security clearance, did

19 anybody at Centurion ever say to you, "We're

20 concerned about the level of medical care the

21 prisoners are going to get if you let -- keep

22 Dr. Woods out of your prison"? Did anybody from

23 Centurion ever express any concern like that to

24 you?

25 MR. LONG-DANIELS: Object to form.

1 just know it was part of the dialogue that we

2 had.

3 BY MR. WAIDE:

4 Q. But you don't have any e-mails or

5 anything in writing documenting that, do you?

6 A. Not that I recall. I remember my

7 conversation with Ms. Meggs was via telephone

8 and then face to face with Mr. Day.

9 MR. WAIDE: Okay. I don't believe I

10 have anything else, but there may be

11 somebody else that may have some

12 questions.

13 EXAMINATION

14 BY MR. LONG-DANIELS:

15 Q. I want to thank you for being here

16 today.

17 A. You're welcome, sir. Thank you.

18 Q. I want to direct your attention back to

19 Exhibit 11 that Mr. Waide . . .

20 MR. PEEPLES: What number did you

21 say, David? 11?

22 MR. LONG-DANIELS: Exhibit 11.

23 BY MR. LONG-DANIELS:

24 Q. Before we get there, let me ask some

25 preliminary questions.

1 It was your decision to revoke
 2 Ms. Woods' access to the security compound.
 3 Correct?
 4 A. Yes, sir.
 5 Q. And that was your decision and yours
 6 alone. Correct?
 7 A. It was, indeed, my decision; and I did
 8 confer through my chain of command with my
 9 regional vice president, and I also had --
 10 Q. Go ahead. I'm sorry.
 11 A. I'm sorry. I also had dialogue with
 12 Centurion folks, being Travis Day and April
 13 Meggs, before making the final decision. And,
 14 again, not to say is it okay with them, to
 15 inform them of the direction in which I was
 16 going.
 17 Q. In other words, you decided, and then
 18 you told them. Correct?
 19 MR. WAIDE: Object to the form as
 20 leading.
 21 MR. LONG-DANIELS: I'm allowed to
 22 lead. He's not my witness.
 23 BY MR. LONG-DANIELS:
 24 Q. Warden, you made the decision, and you
 25 told them of your decision. Correct?

1 A. Yes, sir.
 2 BY MR. LONG-DANIELS:
 3 Q. All of the folks there that are in your
 4 charge includes the inmates too. Correct?
 5 A. Yes, sir.
 6 Q. The decisions about whether to allow
 7 someone to go off-site is a very important
 8 decision. Right?
 9 MR. WAIDE: Object to form. Leading.
 10 BY MR. LONG-DANIELS:
 11 Q. Go ahead. You can answer.
 12 A. Yes, sir. You have to entail that
 13 you're having a convicted felon go out to the
 14 hospital with Jane and Joe Taxpayer. You want
 15 to make sure there's adequate security for the
 16 offender. You want to make sure that everyone
 17 is safe, including your staff and Joe and Jane
 18 Public, so it is a very serious one.
 19 Q. And when you made that decision, you
 20 have to consider all of the resources you have
 21 at your disposal. Right?
 22 A. Correct, sir.
 23 Q. If you take two officers and send them
 24 downtown, that's two less security officers in
 25 your prison. Right?

1 MR. WAIDE: Object to form. It's
 2 leading.
 3 MR. PEEPLES: I thought we weren't
 4 going to object to anything but the form.
 5 BY MR. LONG-DANIELS:
 6 Q. You can answer.
 7 MR. PEEPLES: You can answer.
 8 A. Yes. I made the decision and had
 9 dialogue with them in terms of which direction
 10 we were going to go, yes, sir.
 11 BY MR. LONG-DANIELS:
 12 Q. You actually are the voice of the
 13 prison. Right?
 14 A. Correct, sir.
 15 Q. It's your call to decide about the
 16 security of all the persons in your charge as
 17 well as the inmates. Right?
 18 A. Yes, sir.
 19 MR. WAIDE: Object to form. Leading.
 20 BY MR. LONG-DANIELS:
 21 Q. I assume that that's a very important
 22 decision that you have to make on a daily basis.
 23 Correct?
 24 MR. WAIDE: Object to the form as
 25 leading.

1 A. Correct. If it's a minimum or medium
 2 level offender, it would be two officers. If
 3 it's a close security or any high level
 4 security, it would be two -- three officers,
 5 because you'll have two officers, and then
 6 you'll have the chase vehicle.
 7 Q. Are you also concerned about sending a
 8 person off late at night?
 9 A. Very much so.
 10 Q. Tell us in your own words why you're
 11 concerned about that.
 12 A. Day or night, both are concerning to
 13 me. You're looking at a man who doesn't sleep
 14 much or well at all, but it's the career that I
 15 chose. At night, just because of the cover of
 16 night, if you know anything about various things
 17 that have happened throughout our country with
 18 corrections, folk have been ambushed on security
 19 or transportation details. So that's why it's
 20 so important that we keep to a minimum who knows
 21 what inmate is leaving to go where.
 22 So with these things called cell phones
 23 and folk making connections with folk, we have
 24 an A and a B or a primary and a secondary
 25 security route every place that we go; but it's

1 difficult to do that when you leave the facility
2 to go up to town, up the street to the local
3 hospital in Holly Springs where it's kind of the
4 only way to get there unless you're going
5 through somebody's yard. So those things become
6 factors that I deal with every day. An inmate
7 going in a paramedic, it's an emergency, it's a
8 right-now thing, no brainer. But if it's some
9 things that we -- to me it's never a problem to
10 ask questions of why are we doing that now?
11 Could it be in the morning? Not saying --
12 automatically saying you squash that detail, but
13 it's good practice to ask questions.

14 Q. Because you're concerned about --
15 you're concerned about somehow the inmate
16 getting word to his friends or fellow gang
17 members or whomever that he's on his way to the
18 hospital, and it would not be difficult for his
19 friends to figure out what route he's on.
20 Right?

21 A. Correct.

22 Q. And you only have two officers with
23 him. If there's a gang of five waiting on him,
24 they don't stand a chance, do they?

25 A. Correct, sir.

1 segregation because of their behavior while
2 inside of the facility on top of the very
3 violent behavior that they took on to come into
4 the facility from the onset.

5 Q. You have people who did some very bad
6 things who came to prison, and then once they
7 got to prison, they did some very bad things to
8 others?

9 A. Correct, sir.

10 Q. And those people are housed in
11 long-term segregated facilities?

12 A. Yes, sir.

13 Q. They ain't the average American
14 citizen; they're in there for a reason.

15 A. Yes, sir.

16 Q. And when you segregate somebody in a
17 prison from the other inmates, they have to be
18 really bad, don't they?

19 A. We segregate you predicated upon your
20 behavior.

21 Q. Yes, sir. And you have seen the
22 evidence of some of the violence of some of
23 these inmates, haven't you?

24 A. Very much so, sir.

25 Q. Tell us about an attack on one of your

1 Q. Your job is not just violence, though,
2 of inmates; it's violence, security of your
3 officers and the public. Right?

4 A. Very much so, sir.

5 Q. You guys have pretty violent people in
6 your prison?

7 A. Yes, sir.

8 MR. WAIDE: Object to the form. It's
9 leading.

10 BY MR. LONG-DANIELS:

11 Q. Tell us the most violent level of
12 prisoner that you have there.

13 A. Well, I have zero inmate at my facility
14 that are there for jaywalking. I can assure you
15 of such. Some of the most violent inmates that
16 I have are what we call "long-term segregation
17 offenders" or maximum security offenders. Some
18 of these offenders are housed in Mississippi
19 Department of Corrections at Marshall for
20 violent crimes -- murder, rape, ag murder,
21 burglary -- but they are classified as long-term
22 segregation offenders because, while they've
23 been incarcerated, they've seriously assaulted
24 staff or other offenders. That has raised their
25 security level from medium or close to long-term

1 security guards in one of these settings.

2 A. Ms. Burgess -- mother, grandmother,
3 been in an institution double-digit years, loved
4 by all -- and I really mean that -- but she made
5 a mistake. It was back in medical, and we had a
6 long-term segregation offender housed in
7 medical. And he said he wanted some water or
8 some ice. And my policy is you should have two
9 security-trained employees and a supervisor with
10 you to open up the cell door of a long-term
11 segregation offender. That was violated. She
12 opened up the door, and the offender tried to do
13 some serious harm to her to include to sexually
14 assault her. Just a horrific situation.

15 I've been doing this for 30 years, and
16 that's probably one that I'll never forget and
17 looking her husband in the face and talking with
18 him when he asked me, "How did you allow this to
19 happen to my wife? How does this happen?"

20 Thank God that Ms. Burgess is good and
21 she's come back to work, but those situations,
22 when you go through them, you have a new normal.
23 You don't return to the way you were.

24 Q. Was Dr. Woods present when this
25 happened to that officer?

1 happened two days after I got here," that means
 2 it's the 18th of April. Right?
 3 A. Yes, sir.
 4 Q. How long is the 18th of April from the
 5 25th of April?
 6 A. Seven days.
 7 Q. Then he says he got raped a day or two
 8 before coming to the medical facility. Would
 9 that make any difference?
 10 A. We would still follow our protocols
 11 with our Prison Rape Elimination Act policy and
 12 walk through that. And what I mean by that,
 13 sir, is my deputy warden does an outstanding job
 14 as that liaison for me dealing with the Prison
 15 Rape Elimination Act, and we will follow that
 16 process.
 17 Q. So you have a security expert assigned
 18 to deal with issues of rape like this, don't
 19 you?
 20 A. I have -- my deputy warden and my
 21 investigator play an enormous role in that,
 22 along with what medical does also.
 23 Q. Now, I know you haven't had a chance to
 24 look at these medical records, but the medical
 25 records say there were no injuries and that it

1 document everything the way that it should be,
 2 but those would be determining factors that will
 3 help me in making my decision.
 4 Q. All right. I'm a former soldier, and
 5 I'm used to Zulu time. It appears to me that
 6 the time of service on this record is 2103.
 7 Could you tell us in layman's terms what time of
 8 the night that is?
 9 A. It was 2003? See, I'm a nonmilitary
 10 guy.
 11 Q. You have 24 hours in a day. And if
 12 you're at hour 20--
 13 A. So it's 8:00?
 14 Q. Right.
 15 A. Almost 9?
 16 Q. Yes.
 17 A. Every prison I go to, I change from
 18 military time to regular time because it messes
 19 me up.
 20 Q. And you did send this young man out to
 21 be evaluated, didn't you?
 22 A. I don't have that in front of me in
 23 terms of what the final was in my packet, but if
 24 you're saying you have the documentation that
 25 shows that we sent him out the next day or

1 was dry in the rectal area.
 2 MS. HADLEY: (Indiscernible)
 3 MR. LONG-DANIELS: I couldn't hear
 4 that.
 5 MR. WAIDE: In any event, I object to
 6 the form. Counsel is testifying instead
 7 of letting the witness testify.
 8 MR. LONG-DANIELS: We've seen a lot
 9 of that today. We're going to move
 10 forward.
 11 BY MR. LONG-DANIELS:
 12 Q. If the medical record says that his
 13 rectal area was dry and did not show any
 14 tearing, bruising, or fluid, would that impact
 15 your decision about --
 16 A. Yes, sir.
 17 MR. WAIDE: Object to the form
 18 because counsel is telling the witness
 19 what the medical records say. The witness
 20 is not being allowed to testify.
 21 BY MR. LONG-DANIELS:
 22 Q. You can answer.
 23 A. Yes, sir, it would be a factor in my
 24 decision. I would talk with medical, talk with
 25 my PREA folks as well, so we could, (A),

1 something.
 2 Q. In fact, he -- at least Exhibit 11 --
 3 Exhibit 12 -- it appears that he left the very
 4 next morning.
 5 A. (Reviews document)
 6 Q. It says ". . . ER transfer and informed
 7 me trip will be scheduled for AM" on 4/26.
 8 MR. PEEPLES: Where are you looking
 9 at?
 10 MR. LONG-DANIELS: Exhibit 11, about
 11 three lines from the bottom.
 12 A. AM on 4/26.
 13 BY MR. LONG-DANIELS:
 14 Q. Yeah.
 15 A. It says.
 16 Q. That's the next morning, isn't it?
 17 A. Yes, sir.
 18 Q. Again, your job is to balance security
 19 as well as the health and well-being of the
 20 inmates?
 21 MR. WAIDE: Object to leading.
 22 A. Yes, sir, that would be correct to your
 23 question, sir.
 24 BY MR. LONG-DANIELS:
 25 Q. Just for clarity: You made the